

40-90

BR 6640PG052

QUITCLAIM DEED WITH COVENANT
028255

Waterville
NO TRANSFER
TAX PAID

WEBBER GROUP OF COMPANIES, a Maine corporation having a mailing address of 700 Main Street, Bangor, Maine 04401 of Bangor, Penobscot County, State of Maine, for consideration paid, grants to **WEBBER ENERGY GASOLINE**, a Maine corporation having a mailing address of 700 Main Street, Bangor, Maine 04401, with Quitclaim Covenant, a certain lot or parcel of real estate situated easterly of Jackson Street, so-called, and northerly of Kennedy Memorial Drive in Waterville, Kennebec County, State of Maine, more particularly bounded and described as follows:

Beginning at an iron pin at the intersection of the northerly line of Kennedy Memorial Drive with the easterly line of Jackson Street, said iron pin being 142.09 feet easterly of a right of way monument; thence North 08° 00' 12" East, 174.15 feet to another iron pin set in the easterly line of Jackson Street; thence South 82° 02' 18" East, 199.87 feet to another iron pin set in the ground; thence South 08° 04' 22" West along land now or formerly of Burgess, 174.17 feet to iron pin in the northerly line of the said Kennedy Memorial Drive; thence in the northerly line of Kennedy Memorial Drive North 81° 56' 38" West, 128.15 feet to another right of way marker; thence North 82° 11' 28" West, 71.51 feet to iron pin and point of beginning.

Also conveying all benefits under and rights to enforce a covenant for the period of 99 years as described in the deed of Lloyd D. Burgess and Helen L. Burgess to Sun Oil Company dated June 12, 1964, recorded in 1340, Page 324 of the Kennebec County Registry of Deeds, restricting the construction of any building, sign, structure or any obstruction within 15 feet of the northerly line of Kennedy Memorial Drive on other land of the Burgesses.

Subject to the following:

- a) Notice of Layout and Taking by the State of Maine, State Highway Commission, dated October 29, 1958, recorded in Book 1134, Page 102 of the Kennebec County Registry of Deeds.
- b) Easement granted by Webber Petroleum Company to Central Maine Power Company and New England Telephone and Telegraph Company, dated May 9, 1996, recorded in Book 5140, Page 198 of the Kennebec County Registry of Deeds.
- c) Certificate of variance by the City of Waterville dated April 24, 1996 and recorded in Book 5116, Page 119 of the Kennebec County Registry of Deeds, relating to the construction of a canopy.

2
Rudman & Winchell
PO Box 1401
Waterville, ME 04901

40-90

6640PG053

Waterville

d) Rights of tenant Waterville Burger Corporation under May 12, 1996 lease with Webber Oil Company (which lease is referenced in an August 6, 1998 Estoppel Certificate of Webber Oil Company made to Bangor Savings Bank recorded in Kennebec County Registry of Deeds Book 5702 , Page 253), and rights of the tenant in and to its trade fixtures installed on the premises.

Webber Group of Companies acquired title by virtue of a deed of even date herewith from Webber Oil Company to be recorded in the Kennebec County Registry of Deeds.

Webber Oil Company acquired title as survivor by merger with Webber Petroleum Company by virtue of a certificate of merger effective January 16, 1986, and recorded in Book 2913, Page 53 of the Kennebec County Registry of Deeds. Webber Petroleum Company acquired title by virtue of a deed from Sun Oil Company of Pennsylvania, successor by merger to Sun Oil Company, dated November 21, 1975, and recorded in Book 1868, Page 110 of the Kennebec County Registry of Deeds.

IN WITNESS WHEREOF, Webber Group of Companies has caused this instrument to be signed in its corporate name as an instrument under seal, by Michael T. Shea, its President, hereunto duly authorized, this 26th day of September, 2001.

WITNESS:
Julie A. Phair

WEBBER GROUP OF COMPANIES
By: Michael T. Shea
Michael T. Shea
Its President
Hereunto Duly Authorized

STATE OF MAINE
COUNTY OF PENOBSBOT

September 26, 2001

Then personally appeared the above-named Michael T. Shea in his aforesaid capacity, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of Webber Group of Companies.

Before me,

Julie A. Phair
Name:
Notary Public
Maine Attorney-at-Law



43675/39549/163783-1

RECEIVED KENNEBEC SS.
2001 SEP 27 PM 12: 09

JULIE A. PHAIR
Notary Public • Maine
My commission expires February 23, 2007

ATTEST: Thomas R. Boudreau
REGISTER OF DEEDS